

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 L-03 RSR-01 /061 W

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R 230915Z AUG 73

FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC 1879

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

USMISSION EC BRUSSELS UNN

AMEMBASSY LONDON

AMEMBASSY PARIS

LIMITED OFFICIAL USE THE HAGUE 3704

E.O. 11652: N/A

TAGS: ETRN, NL

SUBJECT: CIVAIR - NEW DUTCH CHARTER REQUIREMENT

REF: (A) STATE 161927 (NOTAL) (B) HAGUE 3312

1. NEW REGULATION, AS REPORTED PARA 3 REFTEL B, COVERS CARGO CHARTERS AS WELL AS ITC'S. ENGLISH VERSION OF AMENDMENT WILL BE AVAILABLE SHORTLY AND WILL BE FORWARDED. ENTIRE CHARTER REGULATION AS AMENDED IS EXPECTED TO BE PUBLISHED IN AIP EARLY SEPTEMBER.

2. UNDER AMENDMENT REGULATION ALL CARGO CHARTERS NOT COVERED BY EUROPEAN MULTILATERAL CHARTER AGREEMENT ARE SUBJECT TO PRIOR CIVILAIR APPROVAL. REASONS FOR AND ACTIONS UNDER AMENDMENT ARE EXPLAINED BY CIVILAIR AS FOLLOWS:

A. FIRST PURPOSE IS TO DEVELOP INFO RE CARGO CHARTERS NOT COVERED BY AGREEMENT. THIS WOULD INCLUDE WHO OPERATES THEM, TYPES AND QUANTITIES OF CARGO, AND POINTS SERVED. EXAMPLE IS FLIGHTS FROM HONG KONG, ABOUT WHICH CIVILAIR IS AWARE BUT HAS NOT HARD INFO.

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B. SECOND PURPOSE IS ABILITY TO RETALIATE IN CASE RECIPROCAL

PRIVILEGES NOT OFFERED BY GOVERNMENT OF FOREIGN CARRIER CONCERNED.
EXAMPLE MIGHT BE IF U.S. SUPPLEMENTAL OPERATED FIFTH FREEDOM
FLIGHTS INTO SCHIPHOL WHILE NETH CARRIER DENIES SIMILAR PRIVILEGE
IN U.S. ABILITY TO RETALIATE DOES NOT NECESSARILY MEAN THAT SUCH
FIFTH FREEDOM FLIGHTS WOULD BE DENIED.

C. NO RESTRICTIONS ENVISAGED ON "NORMAL CARGO OPERATIONS"
(THIS TERM NOT YET DEFINED). APPLICATIONS WILL BE AUTOMATICALLY
GRANTED FOR TIME BEING (WITH PERIOD OF NOTICE AS LAID OUT IN
REGULATION). THERE HAVE BEEN NO REFUSALS AS YET AND NONE ARE
ENVISAGED IN FORESEEABLE FUTURE EXCEPT POSSIBLY APPLICATIONS
INVOLVING UNRECIPROCATED FIFTH FREEDOM.
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